

ORIGINAL

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIV.

2016 FEB 29 PM 4:24

DAVID HEATH LONG,

Plaintiff,

v.

JASON MEDLIN, Warden (formerly)
Wheeler Correctional Facility,
et al.,

Defendants.

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CV 315-088

CLERK 
SO. DIST. OF GA.

O R D E R

On January 4, 2016, the United States Magistrate Judge entered a Report and Recommendation screening Plaintiff's complaint filed pursuant to 42 U.S.C. § 1983. The Report and Recommendation recommended dismissal for failure to state a claim upon which relief can be granted. In short, Plaintiff had failed to state a cognizable constitutional claim.

On January 21, during Plaintiff's objection period, the Court received a submission titled "Inventory of Enclosed Evidence." Plaintiff does not specifically delineate this filing as his objections to the Report and Recommendation. Nevertheless, the Court considered the submission prior to adopting the Report and Recommendation, but implicitly rejected the evidence contained therein when it adopted the Report and Recommendation on February 5, 2016.

Presently, Plaintiff has filed a motion for reconsideration, complaining that the Court did not consider his submission of January 21, 2016. To be sure, the Court should have indicated its consideration of this material in its Adoption Order of February 5, 2016. Nevertheless, the material was considered, and the conclusion was reached that nothing therein supports a claim of constitutional magnitude cognizable under § 1983. Accordingly, the motion for reconsideration (doc. no. 12) is **DENIED** as Plaintiff's submission of January 21, 2016, does not warrant the reversal of the well-founded legal conclusions in the Report and Recommendation.

ORDER ENTERED at Augusta, Georgia, this 29th day of February, 2016.


UNITED STATES DISTRICT JUDGE